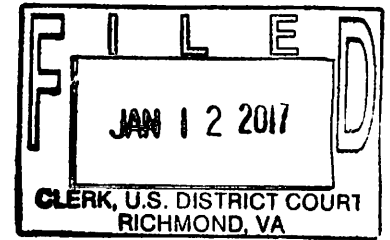


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



DEBORAH WEYMOUTH,  
et al.,

Plaintiffs,

v.

Civil Case. No. 3:14-cv-419

COUNTY OF HENRICO, VIRGINIA,

Defendant.

**ORDER**

On January 4, 2017, the parties appeared before the Court and presented argument in support of their Joint Motion to Approve Settlement Agreement (ECF No. 56). On January 9, 2017, the parties submitted additional argument and authorities in support of their Joint Motion during a conference call with the Court. At the conclusion of the conference call, the parties advised the Court that they would submit a supplemental memorandum in support of their Joint Motion, and that the supplemental memorandum would include a revised settlement agreement, a revised notice, and a copy of the proposed general release. On January 11, 2017, the parties submitted the supplemental memorandum and accompanying exhibits, and their Joint Motion is now ripe for decision.

Having considered the arguments and authorities submitted by the parties in support of their Joint Motion, the Court finds that the proposed settlement is fair and reasonable. Therefore,<sup>0</sup> it is hereby ORDERED that:

- 1) The Settlement Agreement (ECF No. 63-1) attached as Exhibit 1 to the Supplemental Memorandum in Support of Joint Motion to Approve Settlement Agreement is preliminarily approved, and the parties shall proceed forthwith to execute its terms pending final approval;
- 2) For settlement purposes only, the following class of individuals (the "Opt-In Settlement Participants") will be allowed to opt-in to this collective action under 29 U.S.C. § 216(b): individuals who have been employed as a Fire Captain for the Henrico County Division of Fire at any time between November 1, 2014 and February 18, 2017;
- 3) The Notice (ECF No. 63-2) attached as Exhibit 2 to the Supplemental Memorandum in Support of Joint Motion to Approve Settlement Agreement is approved, and the County shall proceed forthwith to issue the Notice to the potential Opt-In Settlement Participants as directed by the Settlement Agreement;
- 4) The General Release (ECF No. 63-3) attached as Exhibit 3 to the Supplemental Memorandum in Support of Joint

Motion to Approve Settlement Agreement is approved as additional consideration for the incentive payments to the Plaintiffs described in the Settlement Agreement;

- 5) The attorneys' fees and costs provided for in the Settlement Agreement, supported by the Plaintiffs' Briefing on Reasonableness of Attorney's Fees (ECF No. 58), and to which the Defendant does not object are preliminarily approved; and
- 6) The hearing on final approval of the settlement and final approval of attorneys' fees will be held on March 16, 2017 at 2:00 p.m.

It is so ORDERED.

\_\_\_\_\_/s/ *REP*  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: January 12, 2017